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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,703	01/23/2002	Jose Manuel Valero Salinas	279 P003	2666

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EXAMINER

SAFAVI, MICHAEL

ART UNIT PAPER NUMBER

3673

DATE MAILED: 07/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/913,703

Applicant(s)

SALINAS, JOSE MANUEL
VALERO

Examiner

M. Safavi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) Z.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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1. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

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2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The abstract of the disclosure is objected to because the abstract fails to a concise statement of the technical disclosure of the patent including the technical disclosure of any improvement over an old apparatus or product. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-6 and 9-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claim 1, line 2, what is being defined by “or the like”? It is not understood as to what the rigid plates are made if not “plasticised wood” or “rigid plastic”. What, for that matter, is being defined by “plasticised wood”? Line 7, “the perfect cylinder” lacks an antecedent within the claim. Line 6, what is being defined by “...having a reduced width”? With respect to what is the width reduced? Lines 6-7, it is not, at all, clear as to what is being defined by “more reduced when greater is the degree of proximity of the formwork to the perfect cylinder”. Line 8, recitation of “with the help of an external envelope” is not clear. What is the particular relationship between the “laminates” and the “external envelope”?

Claim 2 appears to present only optional language, (e.g., only a possible arrangement). It is therefore not clear as to what is being defined by the language of claim 2. Claim 2 does not appear to set forth language which would serve to further limit the invention defined by claim 1.

Claim 3 appears to present only optional language, (e.g., only a possible arrangement). It is therefore not clear as to what is being defined by the language of claim 2. Claim 2 does not appear to set forth language which would serve to further limit the invention defined by claim 1.

Claims 4-6, 12-14, and 18-20 appears to improperly set forth and define an embodiment not commensurate in scope with any of the embodiments of invention described within the specification, and particularly defined by claim 1. Claim 4 appears to either improperly delete a limitation introduced in parent claim 1, (rigid plates or laminates), or present an invention not defined within the specification. The metes and bounds of the language of claims 4-6, 12-14, and 18-20 can, therefore, not be ascertained since it is not understood how the claimed formwork

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can possess both “rigid plates” or “laminates” as well as a “plate being affected by a plurality of longitudinal cuts or slots”.

Claim 9, lines 1-3, what is being defined by “it is included” or “as an outer stiffening envelope”? What is “it” that “is included”? And, what is “as an outer stiffening envelope”? Otherwise, is the “self-adhesive tape having a plurality of glass fibre threads” the same as the “external envelope made of a glass fibre mesh rolled up helicoidally on said annular body”? Line 3, “said band” lacks an antecedent within the claim. Lines 3-4, what exactly is “the rest of the structure of the formwork”? Line 4, to what does “its” refer? And, it is not clear as to why the distribution of glass fiber threads affects how a band is fixed to “the rest of the structure of the formwork”. Language at lines 4-6 is not, at all, understood. It is not understood as to what is or is with “an helicoidal path”. What is being defined by “preferably with a partial overlap of the same”? What is being defined by “in such a form”? The metes and bounds of the language of claim 9 cannot be ascertained.

Claim 10, lines 1-3, what is being defined by “it is included” or “as an outer stiffening envelope”? What is “it” that “is included”? And, what is “as an outer stiffening envelope”? Otherwise, is the “self-adhesive tape having a plurality of glass fibre threads” the same as the “external envelope made of a glass fibre mesh rolled up helicoidally on said annular body”? Line 3, “said band” lacks an antecedent within the claim. Or, at least, to which band does “said band” refer? Claim 2 does recite “bands” but does not positively introduce “bands” into the claimed invention. Or, is “said band” of claim 10 different from any of the “bands” recited in

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claim 2? Lines 3-4, what exactly is “the rest of the structure of the formwork”? Line 4, to what does “its” refer? And, it is not clear as to why the distribution of glass fiber threads affects how a band is fixed to “the rest of the structure of he formwork”. Language at lines 4-6 is not, at all, understood. It is not understood as to what is or is with “an helicoidal path”. What is being defined by “preferably with a partial overlap of the same”? What is being defined by “in such a form”? The metes and bounds of the language of claim 10 cannot be ascertained.

Claim 11, lines 1-3, what is being defined by “it is included” or “as an outer stiffening envelope”? What is “it” that “is included”? And, what is “as an outer stiffening envelope”? Otherwise, is the “self-adhesive tape having a plurality of glass fibre threads” the same as the “external envelope made of a glass fibre mesh rolled up helicoidally on said annular body”? Line 3, “said band” lacks an antecedent within the claim. Lines 3-4, what exactly is “the rest of the structure of the formwork”? Line 4, to what does “its” refer? And, it is not clear as to why the distribution of glass fiber threads affects how a band is fixed to “the rest of the structure of he formwork”. Language at lines 4-6 is not, at all, understood. It is not understood as to what is or is with “an helicoidal path”. What is being defined by “preferably with a partial overlap of the same”? What is being defined by “in such a form”? The metes and bounds of the language of claim 11 cannot be ascertained.

Claim 15, Line 1, “said self-adhesive tape”, lacks an antecedent within the claim. Line 2, what is being defined by “or the like”? It is not understood as to what the support is made if not paper.

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Claim 16, Line 1, “said self-adhesive tape”, lacks an antecedent within the claim. Line 2, what is being defined by “or the like”? It is not understood as to what the support is made if not paper.

Claim 17, Line 1, “said self-adhesive tape”, lacks an antecedent within the claim. Line 2, what is being defined by “or the like”? It is not understood as to what the support is made if not paper.

Claim 21, Line 1, “said self-adhesive tape”, lacks an antecedent within the claim. Line 2, what is being defined by “or the like”? It is not understood as to what the support is made if not paper.

Claim 22, Line 1, “said self-adhesive tape”, lacks an antecedent within the claim. Line 2, what is being defined by “or the like”? It is not understood as to what the support is made if not paper.

Claims 9-11, 15-17, 21, and 22, (as well as claims 12-14 and 18-20), appear to improperly set forth and define an embodiment not commensurate in scope with any of the embodiments of invention described within the specification, and particularly defined by claim 1. Claim 4 appears to either improperly delete a limitation introduced in parent claim 1, (glass fibre mesh rolled up helicoidally on said annular body), or present an invention not defined within the specification. The metes and bounds of the language of claims 9-11, 15-17, 21, and 22 can, therefore, not be ascertained since it is not understood how the claimed formwork can possess

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both "glass fibre mesh" as well as a "self-adhesive tape having a plurality of glass fibre threads disposed longitudinally and evenly distributed".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Safavi whose telephone number is (703) 308-2168.



MICHAEL SAFAVI
PATENT EXAMINER
ART UNIT 3673
JUL 1 2003

M. Safavi
June 28, 2003